

EXHIBIT I

JON KROSNICK, PhD, 5-1-09

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1 IN THE UNITED STATES DISTRICT COURT FOR THE
2 NORTHERN DISTRICT OF OKLAHOMA

3
4 W. A. DREW EDMONDSON, in his)
5 capacity as ATTORNEY GENERAL)
6 OF THE STATE OF OKLAHOMA and)
7 OKLAHOMA SECRETARY OF THE)
8 ENVIRONMENT C. MILES TOLBERT,)
9 in his capacity as the)
10 TRUSTEE FOR NATURAL RESOURCES)
11 FOR THE STATE OF OKLAHOMA,)

12 Plaintiff,)

13 vs.)

14 TYSON FOODS, INC., et al,)

15 Defendants.)

16) 4:05-CV-00329-TCK-SAJ

17 - - - - -
18 THE VIDEOTAPED DEPOSITION OF
19 JON KROSNICK, PhD, produced as a witness on
20 behalf of the Defendants in the above styled and
21 numbered cause, taken on the 1st day of May, 2009,
22 in the City of Tulsa, County of Tulsa, State of
23 Oklahoma, before me, Lisa A. Steinmeyer, a Certified
24 Shorthand Reporter, duly certified under and by
25 virtue of the laws of the State of Oklahoma.

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1 A In designing the contingent valuation
2 questionnaire, our goal was to describe the
3 conditions of the Illinois River watershed in the
4 past, distant past and in the present, and so we
5 wanted to make sure that our descriptions to
6 respondents of those were consistent with what the
7 natural science evidence provides about those
8 conditions as best those experts could discern.

12:18PM

9 Q Did you also attempt to make sure that your
10 description of the solution, in this case the alum
11 treatment, was consistent with what the natural
12 science evidence provided?

12:19PM

13 MS. MOLL: Objection to form.

14 A No.

15 Q Why not?

12:19PM

16 A So the purpose of the contingent valuation
17 survey was to accurately describe to people a set of
18 what are technically called injuries to the
19 environment and then to propose a plausible solution
20 to those problems, and plausible in the minds of the
21 respondents, and so our goal was for the respondents
22 to understand the plausible solution and to
23 understand that it could work, and at that point
24 having described that, we asked them to vote on
25 whether they would favor or oppose implementing that

12:20PM

12:20PM

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1 particular plan, but we -- the long history of
2 contingent valuation has established this method as
3 one where values can be generated as long as that
4 solution is plausible and understandable to
5 respondents, even if the solution is not one that
6 can actually be accomplished or would be effective.

12:20PM

7 So in other words, if we propose a solution today,
8 respondents value it, the good that would be
9 provided by that solution plan, and then later we
10 learn that the solution plan wouldn't actually work,
11 that does not invalidate the measurement of values
12 made with it. Now, of course, if we learn later
13 that the solution plan can work, that doesn't
14 enhance anything either in changing the validity of
15 the value of measurement.

12:21PM

12:21PM

16 Q What is the purpose of talking to the natural
17 scientists in an effort to describe the injury
18 accurately?

19 A I think you just answered your own question.

20 In other words, that the purpose of talking to the
21 natural scientists is because they studied the
22 injury and, again, I'm using the term injury
23 technically here to refer to changes in the
24 watershed, and that we are describing changes in the
25 watershed to our survey respondents with our

12:22PM

12:22PM